



Legislative Update

February 6, 1998

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House Health Care Committee Passes HIV Disclosure Bills

Greg Smith

On Tuesday, February 3, the House Health Care Committee heard and voted to approve SHB 2914, relating to the disclosure of sexually transmitted diseases, including HIV. The committee approved a substitute proposal brought forward by the prime sponsor and committee chair, Representative Phil Dyer.

SHB 2914 requires the Governor to establish a 15 member task force to develop and recommend to the State Board of Health a state wide pilot project for HIV surveillance. Included on the task force are the chair of the State Board of Health or a designee; the chair of the governor's advisory council on HIV/AIDS or a designee; and representatives of the Department of Health; local public health; persons with HIV disease; community-based organizations serving those infected with HIV; hospitals; physicians; laboratories; epidemiologists; an information system specialist; and other organizations as determined by Governor.

The task force must submit their report to the State Board of Health by October 1, 1998. Any HIV surveillance plan that the task force develops must satisfy requirements for federal funding.

Late last month, the House Health Care Committee heard several bills on the topic of Good Samaritans and HIV exposure. SHB 2366 would require local health departments to provide free testing to a person who acted as a good Samaritan in the event of an emergency, and did not have health insurance. SHB 2413 would allow the sharing of known sexually disease status in the event of a good Samaritan acting as a first responder at the scene of an emergency.

SHB 2413, as amended to request testing, also allows good Samaritans the same authority that emergency service providers have to request testing of the source patient. SHB 2366 was amended to clarify which diseases could be tested for after a substantial exposure of bodily fluids. §

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Shellfish Legislation Targets Repeat Violators

Brian Peyton

The Department of Health, with the support of the Department of Fish and Wildlife and the shellfish industry, has proposed legislation (SB 6131 and HB 2537) that will prevent individuals whose licenses or certificates of approval have been revoked, suspended or denied from participating in any other licensed or approved shellfish operation

The bill would plug a "loophole" in the current law that allows violators to continue to engage in illegal and unsafe activities under the cover of a license issued to another person. In a few cases, individuals with suspended or revoked licenses have continued to work under licenses issued to another person. One such individual had worked under a series of four different licenses taken out under the name of various relatives and friends. While there are relatively few such cases, the Department of Health and the Department of Fish and Wildlife have spent many hours tracking and taking action against these repeat violators.

The legislation was the subject of hearings last month before the Senate Natural Resources and Parks Committee and the House Natural Resources Committee. At each hearing, representatives of the Department of Health, the Department of Fish and Wildlife and the Pacific Coast Oyster Growers Association testified in favor of the legislation. In particular, they noted the importance of safe shellfish and the devastating impact that even one incident of shellfish related illness can have on consumer confidence in all commercial shellfish. Both bills have been voted out of committee, and are awaiting action in the Rules Committees of the House and Senate.

For more information on the legislation, contact Maryanne Guichard, Office of Shellfish Programs, at (360) 753-4183. §

Legislative Cut Off Dates

February 6, 1998: Final day to read in committee reports from house of origin, except Senate Ways and Means and Transportation Committees and House fiscal committees.

February 10, 1998: Last day to read in original house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.

February 17, 1998: Last day to consider own bills.

February 27, 1998: Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.

March 2, 1998: Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.

March 6, 1998: Last day to consider opposite house bills (except amendments, differences, conference reports, the interim, and business relating to closing session. §

Legislature Hits First Milestone

Friday, February 6, was the first major check point of the 1998 legislative session. Bills must have passed from their committee of origin by that date in order to receive further consideration in 1998. The fiscal committees of the House and Senate are exempted from this cutoff until, Tuesday, February 10. The next major cutoff is scheduled for Tuesday, February 17, the date by which bills must pass the house of origin. §

DATA AND CONFIDENTIALITY

SHB 2914: HIV Test Reporting

Directs the Governor to convene a 15 member task force to develop a state wide pilot project to implement an HIV surveillance system. Requires the task force to report to the State Board of Health by 10/1/98. Any pilot project developed must assure access to federal funding. **House Health Care, Do Pass.**

HB 3028: Health Care Information

Declares that health care providers or facilities may not transmit health care information to local health care jurisdictions for the purposes of evaluating or monitoring the health status of patients within the jurisdiction or for program planning or development, without first obtaining the written permission of each patient whose health care information will be disclosed. **House Health Care.**

SB 5298: Genetic Information and Discrimination

Prohibits a health carrier may not deny or cancel health coverage, or vary premiums, terms, or conditions for health plan coverage on the basis of genetic information or because of a request for genetic services. Prohibits a carrier from requiring disclosure of genetic information from an enrollee or a prospective enrollee. Nor may a carrier disclose such information, if they obtain it, without the enrollee's prior, written consent. **Senate Rules.**

SB 6329: Health Care Information Disclosure

Authorizes disclosure of health care information without patient's authorization to county coroners and medical examiners for the investigations of deaths. **Senate Health & Long Term Care.**

SB 6651: Prescription Electronic Transfer

Authorizes information concerning an original prescription or information concerning a prescription refill for a legend drug to be electronically communicated to a pharmacy of the patient's choice pursuant to the provisions of this act if the electronically communicated prescription information complies with designated requirements. **Senate Health Long Term Care.**

SB 6663: Genetic Information Discrimination

Declares that the purpose of this act is to: (1) Protect the confidentiality of genetic information; (2) regulate the collection, retention, disclosure, or use of genetic information; and (3) protect against discrimination by an insurer or employer based upon the genetic information of an individual or his or her family members. **Senate Law & Justice.**

DISEASE PREVENTION & CONTROL

SHB 2366: Good Samaritan Disease Tests

Provides that any person, who without compensation or the expectation of compensation renders emergency care at the scene of an emergency that brings them into contact with bodily fluids shall be provided the opportunity to have infectious disease testing provided by a local public health department free of charge, provided the person needing the test has no insurance coverage. **House Health Care.**

SHB 2413: Sexually Transmitted Disease Disclosure
Revises RCW 70.24.105 to provide for disclosure of sexually transmitted disease information to a person rendering emergency care or transportation, commonly known as a "good Samaritan". **House Rules.**

HB 2681: Rabies Vaccinations For Pets

Requires all dogs, cats, and ferrets to be vaccinated by a licensed veterinarian against rabies in accordance with rules adopted by the department of health that are based on the current compendium of animal rabies control published by the national association of state public health veterinarians. Provides that any person who fails to comply with this act is subject to a civil penalty of fifty dollars. **House Health Care.**

ENVIRONMENTAL HEALTH

2E2SHB 1354: Air Pollution Control

Requires the Department of Ecology to establish a scientific advisory board to review plans to create or expand an inspection and maintenance system for motor vehicle emissions. Exempts from the requirements for emission inspection collector cars as identified by the department of licensing under RCW 46.16.305(1), or beginning January 1, 2000, vehicles that are less than five years old or more than twenty-five years old.

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Directs the Department of Ecology to evaluate changes to the motor vehicle emission inspection program made in RCW 46.16.015(2)(j) and other options that meet air quality objectives and lessen the effect of the program on the motorist. The department shall consider air quality, program costs, and motorist convenience in its evaluation and make recommendations for changes to the program to the appropriate standing committees of the legislature by January 1, 1999. Provides that the act shall be null and void if appropriations are not approved. **Senate Agriculture & Environment.**

SHB 1692: Port District Aquatic Lands

The only lands that may be included in a port district aquatic lands management agreement are those state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district. Upon request of a city, the department and city may enter into an agreement authorizing the city to manage state-owned aquatic lands for the purpose of operating a publicly owned marina. Directs the development of a proposed model management agreement that shall be used as the basis for negotiating the management agreements required by this section. The model management agreement shall be reviewed and approved by the board of natural resources. **Senate Natural Resources & Parks.**

HB 2303/SB 6140: Regulating Public Water Systems

Declares that a receiving public water system's use may exceed its water right authorization if the receiving public water system's withdrawal does not exceed the instantaneous or annual withdrawal rate specified in the receiving public water system's water right authorization. Requires the department not to consider the existence of interties when the department makes a determination on applications for new water rights, changes, or transfers by a public water system that is receiving or may receive water through an intertie. **House Agriculture & Ecology/Senate Agriculture & Environment.**

HB 2304/SB 6141: Public Water Systems

Amends the definition of "municipal water supply purposes" to mean that public water system rights certificated, permitted, or authorized by the department

to public water systems that are both: granted an operating permit under RCW 70.119A.100 by the department of health or approved by a local county health agency; and expanding public water systems with approved water system comprehensive plans. **House Agriculture & Ecology/Senate Agriculture & Environment.**

HB 2337: Groundwater Aquifer Protection

Directs the department of transportation to serve publicize upcoming chemical treatments of noxious weeds within state right of way to those cities and counties having Group A water systems that serve a minimum of twenty thousand residences within their respective jurisdictions. Urges local jurisdictions to submit to their regional department of transportation office, the documentation required by WAC 246-29-135 as well as the local jurisdiction's policy on the use of chemicals to control noxious weeds. **House Agriculture & Ecology.**

HB 2384/ SSB 6180: Solid Fuel Burning Devices

Requires the Department of Ecology, in cooperation with local air pollution control agencies and representatives from the hearth products industry and other appropriate stakeholders to analyze the new federal standards and make recommendations to the legislature regarding changes in the state's laws related to determining stage one or stage two impaired air quality due to solid fuel burning devices. Ecology and other parties shall recommend how to incorporate the new federal standard in determining first and second stage impaired air quality so as to minimize the likelihood that particulate levels in any area of the state will be in violation of the new federal air quality standard for particulates due to solid fuel burning devices. Ecology shall submit its report and recommendations in writing by December 1, 2000. **House Agriculture & Ecology.**

HB 2396: Ground Water Withdrawal

Allows use of ground water without a permit as authorized under RCW 90.44.050 may be considered to constitute an appropriate provision for potable water supply only to the extent that all of the water uses to be supplied water under the exemption from

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permitting in every respect consistent with the limitations on the use of the ground water without a permit. **House Agriculture & Ecology.**

SHB 2414: Outdoor Burning Compliance

Extends the time in which to comply with outdoor burning prohibitions to December 31, 2006. **House Agriculture & Ecology, Do Pass.**

HB 2514: Integrated Watershed Management

Declares an intent of this act to provide locally based groups with the opportunity to: assess local water supplies and needs and develop strategies to provide adequate water for economic prosperity and environmental protection while protecting existing water rights; review water quality problems and develop a strategy for achieving compliance with water quality standards; and formulate plans for protection and enhancement of water-related wildlife and fish habitat. **House Agriculture & Ecology.**

HB 2542: Rural Counties/Growth Management

Provides that a rural county that adopts a resolution removing the county, and the cities located within the county, from the requirement to plan under the Growth Management Act remains subject to the requirements for the designation and protection of critical areas and the designation of natural resource lands. **House Government Reform & Land Use. House Rules.**

HB 2537/SB 6131: Shellfish Sanitary Control

Provides that a person whose license or certificate of approval is denied, revoked or suspended as a result of violations of chapter 69.30 RCW may not participate to any degree in a shellfish operation. **House Rules/Senate Rules.**

HB 2579/SB 6241: Critical Water Supply Areas

Finds that this problem of effective and efficient delivery of a safe water supply is exacerbated when the critical water supply service area is part of one or more urban growth areas. Establishes a process for ensuring that a safe water supply is available in a timely manner to residents and property owners in critical water supply service areas within urban growth areas. **House Agriculture & Ecology/Senate Agriculture & Environment.**

HB 2618/SB 6474: Fertilizer Regulation

Declares an intent to strengthen the state's fertilizer adulteration laws to protect human health and the environment by: ensuring that all fertilizers meet standards for allowable metals; allowing fertilizer purchasers and users to know about the contents of fertilizer products; clarifying the department of ecology's oversight authority over waste-derived fertilizers; and authorizing additional studies on plant uptake of metals. Makes an appropriation of \$407,747 from the general fund to the department of agriculture for the purposes of this act. **House Agriculture & Ecology/Senate Agriculture & Environment.**

HB 2670: Growth Management Planning

Eliminating grant and loan preferences for growth management act planning. Repeals RCW 43.17.250. **House Government Reform & Land Use.**

HB 2687: Government Access to Private Property

Declares an intent, with certain limited and necessary exceptions, that all persons, whether government employees or private persons, be made subject to the same restrictions with regard to entering upon the property of another. It is the intent of the legislature to eliminate special immunities from prosecution for trespass, whether those immunities have been legislatively granted to government or to private persons or entities. **House Law & Justice.**

HB 2775: Water Rights

Provides that if a person placed surface or ground water to beneficial use before January 1, 1993, for irrigation, stock watering, or domestic use supplied by a public water supply system with one hundred fifty or fewer service connections for which a permit or certificate was not issued by the department or its predecessors, the person or the public water supply system, or their respective successors may continue to use water in the amount that has been beneficially used if designated conditions are made. **House Agriculture & Ecology.**

HB 2791: Methamphetamine Crimes

Provides that the manufacture or possession of ephedrine or pseudoephedrine with intent to manufacture methamphetamine in or near a residence in which a minor resides is a "most serious offense"

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under RCW 9.94A.030. Provides that funds may also be appropriated to local departments of health for a program to assist in the cleanup of sites of methamphetamine production. Funds from this program shall not be used for the initial containment of such a site. **House Criminal Justice & Corrections.**

HB 2800/SB 6334: Small City Water Rights

Finds that an application to withdraw ground water filed with the Department of Ecology serves overriding considerations of the public interest when all of the following criteria are met: the application is either filed or held, through assignment or otherwise, by a city with a population no greater than five thousand at the time the application is filed; the city has a sole source of firm water supply and that source might be at risk of failure due to contamination or to source location factors including but not limited to steep slope and other geologic hazards; the city has a comprehensive plan approved under the Growth Management Act and the plan includes an urban growth area that the city will be required to serve; the city's current water supply is insufficient to meet the future demand forecasted in the plan throughout the ten-year period beginning with the adoption by the city of the plan; the city has no currently available reasonable alternative source or supplier of water to meet the demand; and the city has identified a permanent alternative firm supply of water to meet the forecasted demand that the city reasonably expects to become available within ten years of the date of the adoption by the city of the plan. **House Agriculture & Ecology/Senate Agriculture & Environment.**

HB 2803: GMA Compliance Timelines

Declares that a county or city making reasonable progress toward adopting a comprehensive plan and development regulations has until July 1, 2000, to adopt a comprehensive plan and development regulations. **House Government Reform & Land Use.**

SHB 2915: Dairy Nutrients

Establish an inspection and technical assistance program for dairy farms to address the discharge of pollutants to surface and ground waters of the state that will lead to water quality compliance by the industry. Creates a balanced program involving

technical assistance, regulation, and enforcement with coordination and oversight of the program by a committee composed of industry, agency, and other representatives. **House Agriculture & Ecology, Do Pass.**

HB 2952: Building Code Modifications

Authorizes modifications to the state building code by local jurisdiction to promote the health, safety, and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes throughout the state. **House Commerce & Labor.**

HB 2966: Lead Based Paint Hazards

Establishes a lead-based paint activities program within the Department of Health to protect the general public from exposure to lead hazards and to ensure the availability of a trained and qualified work force to identify and address lead-based paint hazards. Provides that the act shall be null and void if appropriations are not approved. **House Commerce & Labor.**

HB 3039: Therapeutic Water Facilities

Revises RCW 70.90.250 to remove the exemption for therapeutic water facilities operated exclusively for physical therapy. Applies to all water recreation facilities regardless of whether ownership is public or private and regardless of whether the intended use is commercial or private, except that this chapter shall not apply to: (1) Any water recreation facility for the sole use of residents and invited guests at a single family dwelling; (2) Therapeutic water facilities operated exclusively for physical therapy; and (3) Steam baths and saunas. **House Health Care.**

HB 3106: Wells/ Groundwater Withdrawal

Declares that a group of wells drilled by the same person or group at or about the same time in the same area for the same purpose or project constitutes a single withdrawal for the purposes of RCW 90.44.050 and is not exempt from the permitting requirement if the total amount withdrawn for use exceeds five thousand gallons per day. **House Agriculture & Ecology.**

HB 2393/SB 6123: Animal Health

Designates the authority and responsibility of the director of agriculture to supervise the prevention of

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the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state. **House Agriculture & Ecology/Senate Rules.**

SB 6139: Amphetamine Penalties

Increases penalties for manufacture and delivery of amphetamine. **Senate Law & Justice.**

SSB 6161: Dairy Nutrient Management

Establishes a credible registration and inspection program for dairy animal feeding operations to address the excessive discharge of nutrients or pollutants to waters of the state and lead to compliance by the industry with water quality laws. Maintains the administration of the water quality program as it relates to dairy operations at the state level. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by an advisory committee composed of agency, industry, and other representatives. Clarifies the current coordination procedures and responsibilities between the Department of Ecology, the conservation commission, and conservation districts. Repeals RCW 90.64.005 and 90.64.090. **Senate Rules.**

SSB 6170: Uranium or Thorium Mills

Declares that the Department of Health may not approve a plan for reclamation, closure or decommissioning of a uranium or thorium mine, mill or tailings facility nor license or license renewal for closure of a uranium or thorium mine that uses a plan for receipt, storage, permanent impoundment, or disposal of radioactive materials except where the radioactive materials are produced at a mine associated with, and under the same operator or ownership as the licensed site or proposed licensed site. **Senate Rules.**

SSB 6180: Solid Fuel Burning Devices

Requires the Department of Ecology, in cooperation with local air pollution control agencies and representatives from the hearth products industry and other appropriate stakeholders to make recommendations to the legislature regarding changes in the state's laws related to determining stage one or stage two impaired air quality due to solid fuel burning devices. Ecology and other parties shall recommend

how to incorporate the new federal standard in determining first and second stage impaired air quality so as to minimize the likelihood that particulate levels in any area of the state will be in violation of the new federal air quality standard for particulates due to solid fuel burning devices. Ecology shall submit its report and recommendations in writing by December 1, 2000. **Senate Rules.**

SB 6248: Geoduck Harvesting Agreements

Provides that if a harvesting agreement provides for discrete, separate harvest periods for portions of the total harvest allowed, the harvester may terminate the agreement, for any separate harvest period, if government agency actions prohibit harvesting for a period exceeding a total of thirty days within that harvesting period. **Senate Natural Resources & Parks.**

SB 6249: Geoduck Harvesting Agreements

Revises current law relating to geoduck harvesting agreements. **Senate Natural Resources & Parks.**

SB 6250: Geoduck Diver Licenses

Declares that, after July 1, 1998, no new geoduck diver licenses shall be issued unless fewer than fifty persons are eligible for renewal. A person may renew an existing license only if the person held a geoduck diver license for four of the seven years 1991 through 1997, or acquired the license by transfer from someone who held it during the previous year, and if the person has not subsequently transferred the license to another person. Provides that geoduck diver licenses are not transferable except from parent to child, from spouse to spouse during marriage or as a result of marriage dissolution or property settlement, or upon death of the license holder. **Senate Natural Resources & Parks.**

SB 6344: Low Level Radioactive Waste

Declares that, when the transportation of low-level radioactive waste from outside the state into a county within the state is authorized, any county through which such waste will be transported may assess county impact fees to cover the cost reasonably necessary for the county to prepare for and respond to the movement of such waste through the county. **Senate Agriculture & Environment.**

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SB 6497: Taking of Private Property

Declares that it is the public policy of the state of Washington that state agencies and local governments, in planning and carrying out governmental actions, anticipate, be sensitive to, and account for the obligations imposed by the fifth and the fourteenth amendments of the United States Constitution and Article I, section 16 of the state Constitution. It is the purpose of this act to reduce the risk of undue or inadvertent burdens on private property rights resulting from certain lawful governmental actions. **Senate Government Operations.**

SB 6520: Watershed Plan Local Funding

Declares that the purpose of this act is to authorize counties, cities, and special districts to provide funding from existing water-related sources to assist in comprehensive planning and management activities on a watershed basis. The coordinated program established in this chapter is intended to emphasize local accountability, consistency with growth planning activities, and protection of the public health and the environment in a cost-efficient manner. **Senate Agriculture & Environment.**

SB 6646: Public Water System Fees

Requires the Department of Health to provide a report that incorporates the findings and recommendations of the water supply advisory committee as to progress in meeting the objectives of the public health improvement plan, changes warranted by the recent congressional action reauthorizing the federal safe drinking water act, new approaches to providing services under the general principles of regulatory reform, and the adequacy and necessity of current and prospective funding. Revision of the operating permit fee is a recommendation of the committee. **Senate Energy & Utilities.**

FAMILIES & CHILDREN

ESHB 1194: Breast Feeding In the Workplace

Requires employers to provide a clean and secure location at the place of employment where a female employee can express breast milk. Clarifies that a mother breast-feeding her child cannot construed as indecent exposure. **Senate Commerce & Labor.**

SHB 2308: School Tests/Parent Consent

Confirms that it is within the rightful authority of parents to determine how much personal information regarding their child and their family is divulged to schools and individual educators. Requires prior parental consent for the administration of tests, questionnaires and surveys that elicit the personal beliefs or practices of a student or a student's family regarding sex or religion. Requires that all instruction materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any test, questionnaire, survey, analysis, or evaluation in a school shall be available for inspection by the parents or legal guardians of the students and by any member of the school board. Provides that schools shall give parents and students effective notice of their rights under this act. Surveys that undergo review by the Human Subjects Research Review Board are exempted from most of the provisions in this bill. **House Rules.**

HB 2332: School Laws and Rules Waivers

Deletes the expiration date of June 30, 1999, for provisions relating to the waivers of laws and rules pertaining to schools. **House Education.**

HB 2395/SB 6530: Partial Birth Abortions

Provides that any physician who knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this act or imprisoned not more than two years, or both. This act shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. Requires approval by the people at the next general election. **House Law & Justice/Senate Law & Justice.**

HB 2422: Parents' Rights in Education

Allows parents to: make a complaint to the school board and have the complaint heard at a public hearing regarding instructional and library materials the parent deems objectionable; exclude their child from sex education and HIV/AIDS classes and be involved in evaluation and revision of sex education and HIV/AIDS programs; and exclude their child from scoliosis screening and be involved in instructional materials

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committees in accordance with RCW 28A.320.230. **House Education.**

HB 2585: Mistreatment of Unborn Child

Makes it a crime to harm an unborn child by the use of drugs or alcohol. **House Law & Justice.**

HB 2593/SB 6522: Coverage for Maternity Care

Requires every policy issued by a health carrier that provides hospital, surgical, or medical coverage to provide coverage for maternity care, including hospital, surgical, or medical care under the same terms and conditions that hospital, surgical, or medical coverage is provided for illness or disease under the policy. **House Health Care/Senate Health & Long Term Care.**

HB 2594/SB 6376: Protecting Contraceptive Health Care Benefits

Provides that a health plan issued to individuals or groups shall not exclude or restrict benefits for: (1) Prescription of contraceptive drugs or devices allowed under Title 69 RCW or generic equivalents substitutable under chapter 69.41 RCW, if the health plan covers or provides other outpatient prescription drugs or devices; or (2) outpatient contraceptive services if the plan covers or provides other outpatient services provided by a health care provider. **House Health Care/Senate Health & Long Term Care.**

HB 2601: End of Life Issues Study

Directs the commission to transmit its report of findings and recommendations to the governor and legislature by December 1, 1998. **House Health Care, Do Pass.**

HB 2635: Viable Fetus Protection

Declares that a physician or other person may not perform, or attempt to perform, any abortion with the intent to terminate the life of a viable fetus, unless it is necessary to preserve the life of the mother. If a pregnancy is terminated, the life of the viable fetus may not be terminated, unless it is necessary to preserve the life of the mother. Prescribes penalties for violation of the act. **House Law & Justice.**

HB 2669: Non-academic Subject Parent Consent

Requires schools desiring to provide instruction in nonacademic subject matter regarding suicide, euthanasia, or human sexuality issues dealing with sex education, sexually transmitted diseases, contraception, or sexual orientation, to provide such instruction as an independent unit within a curriculum offering. Requires all independent units offered to be elective and requires prior parental written consent before a student participates in the unit offering. **House Education.**

HB 2883/SB 6339: Declaring English To Be The Common Language

Recognizes the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Establishes a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. Refers the bill to the people for ratification at the next general election. **House Commerce & Labor/Senate Rules.**

HB 3008: Drug-Affected Children

Requires dependency investigations for infants born drug affected. Requires a physician primarily responsible for the supervision of the birth of an infant, who has reasonable cause to believe an infant has been exposed to non-prescription use of controlled substances to: (1) Conduct appropriate tests to determine whether the infant is drug-affected; (2) notify DSHS of the name and address of the parents of an infant who is drug-affected; and (3) retain the infant in the birthing facility for medical treatment. Directs DSHS to operate a pilot project to provide services to women who give birth to infants exposed to the non-prescription use of controlled substances by the mother during pregnancy. **House Children & Family Services.**

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HB 3009/SB 6695: Substance Abuser/Family Planning

Requires the availability of family planning services for pregnant or parenting substance abusers. **House Children & Family Services/Senate Human Services & Corrections.**

HB 3010: Incarcerated Women/Family Planning

Requires availability of family planning services for incarcerated women. **House Children & Family Services.**

HB 3103/SB 6694: Newborn Screening

Directs the department of health, in consultation with appropriate medical professionals, to develop screening criteria for use in identifying pregnant or lactating women addicted to drugs or alcohol who are at risk of producing a drug-affected baby. **House Children & Family Services/Senate Health & Long Term Care.**

SSB 5278: Mother of Drug-Addicted Baby

Requiring court-ordered use of long-term pharmaceutical birth control for mothers who have given birth to a baby with drug addiction. Directs the department of social and health services to operate four pilot projects in communities served by the parent and child assistance program to provide services to drug-addicted women who give birth to drug-addicted infants. A first referral of a drug-addicted woman who has given birth to a drug addicted baby shall result in the offering of: (1) Voluntary chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary family planning information, education, and counseling; A second referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1) Mandatory chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary long-term birth control and related education and counseling; A third referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1)

Mandatory chemical dependency treatment, counseling, and support services; and (2) mandatory long-term birth control and related education and counseling through the procedure established under this act.

Designates procedures to file a petition with the superior or district court related to the woman's participation in chemical dependency treatment, counseling, and support services and the use of long-term pharmaceutical birth control. **Senate Human Services & Corrections.**

SB 6247: Sexually Explicit Matter/Minors

Declares that a person is guilty of unlawful display of sexually explicit material to a minor if the person knowingly shows such material on a viewing screen so that the sexually explicit material is visible to a minor who is not trespassing. The bill does not provide a limited exemption for health related materials. **Senate Law and Justice.**

SB 6290: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally

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performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.**

SB 6296: English As Common Language

Recognizes the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Establishes a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. **Senate Education.**

SB 6338: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person. Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor.

Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.**

SB 6345: Charter Schools

Declares an intent to authorize the establishment of charter schools for the purpose of providing a unique setting for learning that will improve pupil achievement and provide additional public school choices for students, parents, and teachers. Allows charter schools to waive no state or federal laws pertaining to health safety, or civil rights. **Senate Education.**

SB 6514: Student Catheterization

Provides that school district employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to perform clean, intermittent bladder catheterizations as part of their job description, may file a written letter of refusal to perform clean, intermittent bladder catheterization of students. The letter of refusal shall not serve as grounds for discharge, non-renewable, or other action adversely affecting the employee's contract status. **Senate Rules.**

SSB 6546: School Nurse/Student Ratios

Provides that, beginning with the 1999-2000 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand five hundred (1,500) full-time equivalent students. In the 2000-2001 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand (1,000) full-time equivalent students. In the 2001-2002 school year, each school district shall maintain a ratio of not less than one school nurse for every seven hundred fifty full-time equivalent students. **Senate Health & Long Term Care. Referred to Ways & Means.**

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SB 6739: Governmental Accounts/ Family Impact
Requires assessment of the impact on families before adoption of administrative rules and adoption of local government ordinances or resolutions. State agencies are authorized to enact administrative rules to assist the agency in implementing state laws. It has been suggested that because these rules, ordinances and resolutions may greatly affect families, an analysis of the impact should be conducted prior to enactment. **Senate Human Service & Corrections.**

FISCAL

HB 2301: Vehicle Excise Tax Moneys
Reduces the annual amount of the motor vehicle excise tax to one and one-half percent of the value of the vehicle and revises the distribution formula for the tax. Applies to motor vehicle fees due after June 30, 1998. **House Finance.**

HB 2320: Toxicology Lab Funding
Makes an appropriation of three hundred fifty-one thousand five hundred dollars to carry out the purposes of funding the state toxicology laboratory. **House Appropriations.**

HB 2453: Motor Vehicle Excise Tax
Revises provisions relating to motor vehicle excise taxes. **House Finance.**

SHB 2494/SSB 6168: Temporary Worker Housing
Directs DOH to adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington Industrial Safety and Health Act, Chapter 49.17 RCW, the rules adopted by the State Board of Health under RCW 70.54.110, and the designated guidelines. Requires that, by December 1, 1998, the Department of Labor and Industries shall adopt rules requiring electricity in all temporary worker housing and establishing minimum requirements to ensure the safe storage, handling, and preparation of food in these camps, regardless of whether individual or common cooking facilities are in use. Provides that, beginning in fiscal year 1999 and each fiscal year thereafter, the state treasurer shall transfer two

million dollars from the general fund to the housing trust fund. The funds transferred under this section are provided solely to the department of community, trade, and economic development for the development of housing for low-income farm workers. **House Appropriations/Senate Ways & Means.**

HB 2592/SB 6437: Funding Family Planning
Directs the governor to negotiate with the federal Department of Health and Human Services' Health Care Financing administration to obtain a regulatory waiver of provisions of the medical assistance statute, Title XIX of the federal social security act, to permit Washington to provide family planning services under the medical assistance program to families with income less than two hundred percent of the federal poverty level and report to the appropriate committees of the legislature by December 15, 1998, on the status of these negotiations. **House Appropriations/Senate Human Services & Corrections.**

HB 2627/SB 6450: Supplemental Operating Budget
Provides supplemental appropriations. **House Appropriations/Senate Ways and Means.**

HB 2645/SB 6468: Water Quality/Health Service Account
Manages the water quality account by changing the timing of transfers and reallocating cigarette tax revenues to the health services account. **House Appropriations/Senate Ways and Means.**

HB 2724: Enforcement Moneys/Legislative Oversight
Provides that no state officer or employee may expend moneys received from fines, penalties, forfeitures, settlements, court orders, or other enforcement actions except as provided in a specific appropriation by law. **House Appropriations.**

HB 2778: Brain Injury Trust Fund
Requires that a twenty-five dollar fine shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution as a result of an arrest for violating DWI (under 21), DUI,

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Vehicle Homicide, and Vehicular Assault. This fine is for the purpose of providing services to persons disabled by traumatic brain injuries. **House Law & Justice.**

HB 2801: Vehicle Excise Tax Revenues

Revises RCW 82.44.110 relating to disposition of motor vehicle excise tax revenues. **House Appropriations.**

HB 2930/SB 6602: Carbonated Beverage Taxes

Provides a credit for carbonated beverage taxes against business and occupation taxes. **House Finance/Senate Ways & Means.**

HB 2995/SB 6616: Breast/Cervical Cancer Screening

Makes an appropriation of one million five hundred thousand dollars for fiscal year 1998 from the general fund to the Department of Health for the purpose of making breast and cervical cancer screening available to low-income women. **House Appropriations/Senate Ways & Means.**

2SSB 6015: Water Recreation Facilities

Provides that no fee or fee increase may be adopted without a public hearing. A reduction in the operating permit fee of at least seventy-five percent shall be granted when a facility operator demonstrates a satisfactory level of training in pool safety, water quality, maintenance, and operations. **Senate Rules.**

SB 6112: Vehicle Excise Tax Reduction

Reduces the rate of motor vehicle excise tax on automobiles, motorcycles, light trucks, and motor homes by a general reduction in the value of vehicles to which the tax is applied. Reductions in revenue from the motor vehicle excise tax must be funded from projected surpluses in the state general fund so as to not have a detrimental effect on other programs receiving funds from the tax. **Senate Ways and Means.**

SB 6374: Expanding Medicaid Eligibility for Children

Expands to persons eighteen years of age or younger allowed by Title XXI of the social security act whose total family countable income does not exceed two hundred fifty percent of the federal poverty level. Makes

an appropriation of an unspecified amount to carry out the purposes of the act. **Senate Ways & Means.**

SB 6446: Health Care Funding

Establishes a tax imposed at the rate of 1.0 percent on all taxable income of each person for each taxable year to be used for health care funding. **Senate Ways and Means.**

INJURY PREVENTION

SHB 1978: Disposal of Firearms

Legal firearms may be either auctioned or traded to licensed dealers or destroyed if the following criteria are met: The firearm was offered for auction or trade and the offer was not accepted; and the firearm is unsafe or inoperative. **Senate Law & Justice.**

HB 2437: Bicycle Helmets

Provides that, in order to provide an effective means of implementing a requirement for all bicyclists and their passengers to wear helmets, the legislature recognizes that programs of helmet awareness designed to promote use of helmets by all ages, undertaken by public and private agencies with existing resources, and with notification of the requirement must precede the date of total enforcement. **House Transportation Policy & Budget.**

HB 3102: Unsafe storage of firearms

Regarding the storage of firearms, a person shall not be charged with or found guilty of reckless endangerment unless all of the following facts are present: (1) He or she stores a loaded firearm within any premise under his or her custody or control; (2) he or she knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or parents or legal guardian; (3) the child obtains access to the firearm; and (4) the child subsequently causes the death of or serious physical injury to himself, herself, or another person. **House Criminal Justice & Corrections.**

SB 5242: Child Floatation Devices

Operators or persons permitting the operation of vessels under 19 feet in length must ensure that all passengers

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nine years of age and younger actually wear a United States Coast Guard approved PFD if the vessel is in motion. **Senate Passed.**

SB 6225: Firearms Possession/Minors

Requires adult supervision of minors under fourteen in possession of firearms while hunting or trapping. **Senate Natural Resources & Parks.**

INSURANCE

HB 2540: Dental Care Charges/Insurance

Requires each health plan offered to public employees and their covered dependents that is not subject to the provisions of insurance law that provides benefits for hospital or medical care to also provide benefits for anesthesia and hospital charges for dental care for a covered person who: is a child under age six; is severely disabled; or has a medical condition requiring hospitalization or general anesthesia for dental care treatment, provided that such services are delivered upon the recommendation of the patient's physician. **House Health Care.**

HB 2878: Health Care Enrollment Information

Requires that, no later than September 1, 1998, the secretary of social and health services, the administrator of the state health care authority, and the superintendent of public instruction shall implement a children's health care outreach program to inform children and their parents of the availability of the medical assistance program and the basic health plan. **House Health Care.**

HB 3026: Children's Health Initiative

Intends that the children's health initiative program provide health care services to children's health initiative enrollees who do not have access to medical assistance and are not insured at the time of enrollment. **House Appropriations.**

SB 6374: Children's Health Initiative

Makes Medicaid available to persons covered by the federal children's health initiative. **Senate Ways & Means.**

SB 6472/ HB 2632: Children's Health Initiative

Makes the basic health plan available to persons covered by the federal children's health initiative. **Senate Ways & Means.**

PROFESSIONAL/FACILITIES LICENSING

2SHB 1618: Impaired Physician Programs

Makes technical revisions to provisions relating to treatment programs for impaired physicians. **House Appropriations.**

SHB 2363/SB 6411: Nurse Delegation

Enacting department of health recommendations removing barriers to nurse delegation. Revises RCW 18.88A.030 and 18.88A.210 to adopt department of health recommendations removing barriers to nurse delegation. **House Rules/Senate Rules.**

SHB 2364: Health Professions Administrative Procedures

Revises RCW 43.70.280 to extend the authority of the secretary of health to write administrative rules for the health professions from July 1, 1998 to March 1, 1999. **House 2nd Reading.**

HB 2410: Boarding Home Administration

Transfers oversight of boarding homes solely to DSHS. Takes effect January 1, 1999. **House Health Care**

HB 2452 - Defining Medication Assistance In Community-Based Settings

Declares that "medication assistance" means assistance rendered by a nonpractitioner to an individual residing in a community-based setting to facilitate the individual's self-administration of a legend drug or controlled substance, where a practitioner has determined, in consultation with the individual or the individual's representative, that medication assistance is appropriate. It includes reminding or coaching the individual, using an enabler, placing the medication in the individual's hand, or helping in the preparation of legend drugs or controlled substances for self-administration, and such other means of medication assistance as defined by rule adopted by the department. **House Health Care.**

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SHB 2469: Blood Supply Donations

Requires any blood donor program receiving blood donations to establish a program and procedures to honor the requests by donors to have the blood donations directed for use to persons as specified by such donors. The blood donor program may keep up to one-third of the donated blood to increase the general blood supply for other non-directed patient transfusions. **House Health Care.**

SHB 2774: Adult Family Homes

Creates an advisory committee on matters relating to the regulation of adult family homes. **House Rules.**

HB 2788: Nursing Assistant Training

Provides that the nursing care quality assurance commission shall direct the nursing assistant training programs to accept some or all of the skills and competencies from the curriculum modules towards meeting the requirements for a nursing assistant certificate. A process may be developed to test persons completing modules from a caregiver's class to verify that they have the transferable skills and competencies for entry into a nursing assistant training program. Directs the Department of Social and Health Services (DSHS) and the nursing care quality assurance commission to work together to develop an implementation plan by December 12, 1998. **House Rules.**

HB 2789: Providing for Adult Family Home and Boarding Home Training

Directs that the minimum training standards for licensees serving residents with special needs, such as mental illness, dementia, or a developmental disability, be increased, and that licensees receive additional appropriate training, and that the training delivery system be improved. Provides that the facility shall only admit or retain individuals whose needs it can safely and appropriately serve in the facility with appropriate available staff or through the provision of reasonable accommodations required by state or federal law. Requires that each resident and his or her representative must be informed in writing in advance of changes in the availability or the charges for services, items, or activities, or of changes in the facility's rules. **House Health Care.**

HB 2853: End-of-Life Care Act

A qualified patient has the right to make voluntary and informed choices of care including a request for home care, hospice care, psychological and social counseling, palliative care, as well as a voluntary revocable recorded request for withholding cardiopulmonary resuscitation and/or for palliative sedation that may have the double effect of hastening death. Physicians, physician's assistants, nurses, pharmacists, and health care institutions have the right to participate voluntarily in end-of-life care in good-faith compliance with the requirements of this act without being subject to civil, criminal, or professional liability. Withholding of cardiopulmonary resuscitation in good-faith compliance with the requirements of this act, or a hastened death resulting from palliative sedation administered or delivered in good-faith compliance with the requirements of this act, is not assisted suicide, euthanasia, or mercy killing. **House Health Care.**

HB 2920/ SB 6630: Counselor Continuing Ed

Certified counselors are responsible for obtaining thirty-six clock hours of continuing education during the two-year reporting period immediately preceding renewal of certification, at least six hours of which must be in professional ethics and law. **House Health Care Do Pass/Senate Health & Long Term Care.**

SHB 2935: Nursing Home Medicaid Reimbursement System

Implements the nursing facility Medicaid payment system. Exempts Bailey-Boushay House from case mix reimbursement. **House Health Care, Do Pass.**

SHB 2963/SSB 5447: Hospital Licensing Information

Establishes provisions for disclosure of information obtained by the department of health related to meeting licensing standards in hospitals. **House Rules/Senate Rules.**

HB 2990/SB 6641: Boarding Home Accreditation

Recognizes the need to involve the boarding home industry, the consumers of assisted living and retirement services, the long-term care ombudsman, and state regulatory agencies in the collaborative process of developing standards and procedures for accreditation

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of licensed boarding homes. Supports an industry-funded pilot program prior to changing or developing new standards for boarding home regulation. **House Health Care/Senate Health & Long Term Care.**

HB 2998: Privately owned defibrillators

Provides a limited immunity for use of semiautomatic external defibrillators. **House Law & Justice.**

HB 3002: Child Care Background Checks

Provides that the department shall: Investigate the conviction record or pending charges and dependency record information under chapter 43.43 RCW of any such person; and have access, under RCW 10.97.050(4), to criminal history record information, which includes records of arrest, charges, or allegations of criminal conduct and other non-conviction data. Requires the department to use non-conviction data solely as a tool for investigation and shall not base any decision regarding character, suitability, or competence to care for children solely on the basis of non-conviction data. **House Children & Family Services.**

SB 6265: Opticians/Eye Refractions

Authorizes dispensing opticians to perform eye refraction and modify existing prescriptions to reflect changes in vision. **Senate Health & Long Term Care.**

SB 6271: Medical Marijuana

Finds that the medical utility of marijuana is worth studying, and encourages public and private research organizations and physicians to research such use, including efficacy, and availability of pharmaceutical quality marijuana. Intends that seriously ill patients, who, in the judgment of their physicians would benefit from the use of medical marijuana, be exempt from liability and criminal prosecution for limited, personal possession and use of marijuana; that physicians also be immune for liability and prosecution for the authorization of marijuana use to patients for whom, in the individual physician's professional judgment, medical marijuana may prove beneficial. Strictly limits the legalization of marijuana to medical use, upon authorization of a physician. The legislature does not condone the non-medical, recreational use of marijuana under any circumstances. **Senate Health & Long Term Care.**

SSB 6382: Dental Hygienists/Sealants

Authorizes endorsed dental hygienists to provide sealants to low-income school children. Endorsed licensed dental hygienists must complete the Washington State Sealant Guidelines and training approved by the Department of Health. School populations who will receive dental sealants will be low-income, rural and other at-risk populations. **Senate Ways & Means.**

SSB 6550: Chemical Dependency Professionals

To protect the public by identifying individuals with demonstrated qualifications in the core competencies of addiction counseling and make government more efficient by consolidating duplicative regulatory activities into a single certification process. **Senate Rules.**

SB 6592: Intractable Pain Control

Authorizes a physician to prescribe or administer controlled substances to a person in the course of the physician's treatment of that person for a diagnosed condition causing intractable pain. A physician shall not be subject to disciplinary action by the department of health or the medical quality assurance commission under chapter 18.71 RCW for prescribing or administering controlled substances in the course of treatment of a person for intractable pain. A physician shall not be subject to criminal prosecution for prescribing or administering controlled substances in the course of treatment of a person for intractable pain. **Senate Health & Long Term Care.**

3SSB 5528: Background Checks

Individuals licensed, certified, or registered with disciplining authorities under the Secretary of Health are required to notify their disciplining authority within seven days after being convicted of any disqualifying offense. Applicants for the various licenses are required to submit fingerprints, documents, and fees for state and federal background checks. The disciplining authorities for the various licensees are required to review state and national background checks on all licensee applicants and renewal or reinstatement applicants. Rechecks are to be conducted at least once every four years, but may be suspended after passing four renewal checks. The disciplining authorities may

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conduct additional checks in individual cases for probable cause. **Senate Rules.**

SB 6676: Health Care Provider Liability

Designates limitations on health care providers' liability. **Senate Health & Long Term Care**

SB 6683: Body Art Facilities

Directs the State Board of Health to adopt rules for the purpose of permitting local health jurisdictions to regulate body art operators and body art facilities. Provides that the local public health officer, under powers and duties provided in RCW 70.05.070, may establish a program to regulate body art operators and body art facilities, based on standards adopted by rule by the state board of health. **Senate Commerce & Labor.**

REGULATORY REFORM

SHB 2345: Administrative Law Revisions

Requires agencies to make a good faith effort to notify businesses affected by a rule within 90 days of the effective date of the rule. Agencies must also convene a meeting of persons affected by a significant legislative rule at least 20 days before the effective date. Agencies may file proposals for the expedited repeal of rules at any time, instead of only twice a year. The time period for JARRC to decide whether to impose the significant legislative rule requirements is extended from 45 to 75 days.

At least every four years, an agency must review a rule to evaluate whether the rule is: Necessary to comply with the authorizing statute; Providing the results that it was originally designed to achieve in a reasonable manner; Written and organized in a clear and concise manner; Consistent with the legislative intent of the authorizing statute; Coordinated with other agencies and governmental jurisdictions to eliminate or duplication and inconsistency; Resulting in equitable treatment of those required to comply with it; and achieving its goals in a cost-effective manner. Rules are not valid unless reviewed.

An agency must prepare a local government economic impact statement when adopting a rule that imposes costs on local government. The statement must describe

the reporting, record keeping, and compliance requirements of the proposed rule and analyze the costs of compliance local government.

When a person contacts an agency regarding a rule the agency must identify any associated interpretive and policy statements, and documents of general applicability and provide copies of the documents upon request. An agency may not issue a citation or civil penalty related to a rule on which it issued a policy or interpretive statement or other document of general applicability, unless the agency has provided copies of the documents to the person being issued the citation or civil penalty at least 90 days prior to the issuance.

The composition of the Joint Administrative Rules Review Committee is modified. The legislative members must select a chair, by majority vote, other than one of the eight members. The chair votes only in the case of a tie. In addition to review of rules and policy and interpretive statements, JARRC may review guidelines, and issuances of general applicability, and equivalents to determine whether the document constitutes a rule. If the committee determines that the document constitutes a rule, it may also examine whether the rule is within legislative intent. **House Appropriations.**

HJR 4214: Legislative Veto of Agency Rules

Proposes an amendment to the state Constitution to authorize legislative veto of agency rules. **House Rules.**

SB 6575: Administrative Rules Review

Expands the power of the joint administrative rules review committee. **Senate Government Operations.**

STATE GOVERNMENT REORGANIZATION

HB 2944: Department of Community, Trade, and Economic Development Restructuring

The purpose of this act is to restructure the department of community, trade, and economic development by: (1) Transferring its trade, business development, tourism, and economic development responsibilities and authorities to a newly created department of trade and economic development; and (2) retaining its community development responsibilities with the

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department, which is renamed as the department of community development. **House Trade & Economic Development.**

SB 6239: Family Policy Council Sunset

Provides that the family policy council and its powers and duties shall be terminated on June 30, 2001. Directs the joint legislative audit and review committee to conduct or contract for the performance of a fiscal audit of the family policy council and the community public health and safety networks. The committee shall submit a final audit report to the legislature by December 30, 1999. **Senate Human Services & Corrections.**

SB 6542: Family Policy Council

Increases the number of legislators on the council. Requires each of the twenty-three people who are members of each community public health and safety network to sign an annual notarized statement that clearly, in plain and understandable language, states whether or not he or she has a fiduciary interest. If a member has a fiduciary interest, the nature of that interest must be made clear, in plain understandable language, on the signed statement. **Senate Human Services & Corrections.**

TOBACCO

SHB 2541: Tobacco Settlement Receipts

Requires that all tobacco settlement receipts received by any state officer or employee shall be deposited in the health services account. **House Appropriations.**

HB 2631: Health Care Access

Declares that any financial claims due the state for losses resulting from tobacco use pursuant to a legal settlement, an act of the United States Congress, or both, shall be deposited in the health services account. **House Health Care.**

SB 6354: Tobacco Industry Settlements

Provides that, unless otherwise directed by an act of Congress or, in the case of a lawsuit against the tobacco

industry, the ensuring settlement or judicial determination, any recovery for damages received by the state in any such settlement or litigation, exclusive of costs and fees, shall be deposited into the health services account. **Senate Ways & Means.**

SB 6485: Tobacco Settlement Moneys

Provides that, in any legal action, or settlement thereof, by the state of Washington to recover moneys expended by the state for the tobacco-related health care costs of state residents, and to the maximum extent permitted by court order, negotiated settlement, or federal law, the proceeds received by the state shall be subject to legislative appropriation and shall be deposited as follows: (1) Two-thirds of the proceeds shall be deposited to the education enhancement account; and (2) one-third of the proceeds shall be deposited to the health services account, and may be used exclusively for funding the enrollment of eligible persons in the basic health plan. Requires approval by the people at the next general election. **Senate Ways and Means.**

SB 6686: Tobacco Possession by Minors

Makes it illegal for a minor to possess or attempt to possess tobacco. Requires minors found guilty of possession or purchase of tobacco to pay a fine and perform four hours of community service. The court may also order the minor into a tobacco cessation program. **Senate Commerce & Labor.**

WELFARE REFORM

SHB 2589: TANF Eligibility

Requires TANF recipients to provide the names of both parents to DSHS at the time of application for Temporary Assistance for Needy Families at the time of application for benefits. This provision is waived for good cause when the applicant provides corroborating evidence that the disclosure would be detrimental for the child. **House Rules.**

HB 2767/SB 6418: Support Enforcement

Implements technical amendments to the federal personal responsibility and work opportunity

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reconciliation act of 1996. House Law & Justice/Senate Ways & Means.

SB 6331: Teen Parent/TANF Eligibility

Provides that, in cases where these teen parents are uncooperative with the standards, the minor parent head of the assistance unit and the minor parent's child or children be denied public assistance benefits until cooperation with legal requirements for temporary assistance for needy families for teens is achieved. The legislature intends that, during the period of noncompliance, children of uncooperative minor teen parents be ineligible for assistance, including child-only benefits. Senate Health & Long Term Care.

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